Under Article 235 of the Constitution of India, the administrative control over the Members of the subordinate judiciary in the States vests with the concerned High Court and the State Government. As such, creation of posts in subordinate judiciary is the concern of the State Government.

Providing infrastructural facilities to the High Courts is the responsibility of the concerned State Governments. However, to augment the resources of the State Governments, the Central Government is implementing a scheme for the development of infrastructure facilities for the judiciary which includes construction of court buildings and residential accommodation for judicial officers/judges. A scheme for comprehensive computerization of the District and Subordinate Courts based on the National Policy and Action Plan prepared by the E-Committee is also currently under implementation.

Fast track disposal of criminal cases

4062. SHRI GIREESH KUMAR SANGHI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court has asked the Ministry to find out whether trial in all criminal cases, pending for more than five years, could be fast tracked;

(b) whether the Court has also pointed out that if this proposal is accepted, it could potentially revolutionize the criminal justice system;

(c) whether the judicial system is presently clogged by rapid increase in the number of criminal cases, without any corresponding increase in the number of trial courts, to handle the deluge; and

(d) whether the Ministry has considered the proposal and a final decision has been taken?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) The Supreme Court of India in Transfer Case (Civil) No. 22/2001, Brij Mohan Lal *vs.* Union of India & Others, that *inter-alia*, deals with matters relating to Fast Track Courts which have been constituted for disposal of long pending sessions cases, has in its Order dated 20.11.2007 mentioned as follows:

"Having heard Mr. Narasimha, learned amicus curiae and the learned Solicitor General of India, we are of the opinion that the charts, supplied by the former, may be considered the basis by the Law Ministry for arriving at a decision in regard to the transfer of cases from criminal to civil, and in particular, the cases which are more than 5 years old, for disposal by the Fast Track Courts....."

(c) There is an increase in the number of criminal cases in the court, Government has taken various measures for facilitating expeditious disposal of criminal cases which include setting up of Fast Track courts, amendments to Criminal Procedure Code and Computerisation of Courts. The Gram Nyayalayas Bill, 2007 was also introduced to enable setting-up of more trial courts in the country at the intermediate Panchayat level.

(d) Government is examining the matter.

Separation of functions of organs of democracy

4063. SHRIMATI SYEDA ANWARA TAIMUR: Will the Minister of LAW AND JUSTICE be pleased to state: